

DAILY DIGEST

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July 1, 1999

**Before an entry denotes that the item is part of the FCC's implementation of the 1996 Telecom Act. While we will attempt to flag all Telecom Act-related items, this marking is unofficial and informational only.

PUBLIC NOTICES

Released: July 1, 1999. TARIFF TRANSMITTAL PUBLIC REFERENCE LOG - JUNE 30. Internet URL:
https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/Tariffs/combined/tt070199.pdf

Report No: N-125-A. Released: July 1, 1999. COMMON CARRIER NETWORK SERVICES APPLICATIONS
FILED UNDER RULS PART 68. Internet URL:
https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/Part68_Actions/1999/01jul99r.txt

Report No: 44520. Released: July 1, 1999. BROADCAST ACTIONS. Internet URL:
https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Actions/ac990701.txt

Report No: 24520. Released: July 1, 1999. BROADCAST APPLICATIONS. Internet URL:
https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Applications/ap990701.txt

Report No: NA-233. Released: July 1, 1999. NOTICE OF ACCEPTANCE OF FM BROADCAST
APPLICATIONS AND NOTIFICATION OF PETITIONS TO DENY DEADLINE. Internet URL:
https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Radio_Cutoffs/pnmm9121.wp

Released: July 1, 1999. TECHNOLOGICAL ADVISORY COUNCIL REQUESTS WHITE PAPERS. Contact:
Robert Kimball at (202) 418-2339. Internet URL:
https://www.fcc.gov/Bureaus/Engineering_Technology/Public_Notices/1999/pnet9012.html

Released: July 1, 1999. FCC SEEKS COMMENT ON AMERICAN ELECTRIC POWER SERVICE
CORPORATION REQUEST FOR WAIVER TO PERMIT SHARING OF INDUSTRIAL AND LAND
TRANSPORTATION AND BUSINESS SYSTEM WITH PUBLIC SAFETY AND FEDERAL GOVERNMENT
USERS. On December 3, 1998, American Electric Power Service Corporation filed a Request for Waiver of
Section 90.179 of the Commission's Rules to permit it to share its 800 MHz Industrial/Land Transportation and
Business Category system with public safety and Federal Government users on a non-profit, cost shared basis.
Comments due August 2; replies August 17. (DA No. 99-1301). Contact: John Fernandez, Policy and Rules
Branch, Public Safety and Private Wireless Division at (202) 418-0680. Internet URL:
https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1999/da991301.wp

TEXTS

APPOINTMENT OF THE TELECOMMUNICATIONS RELAY SERVICES FUND ADMINISTRATOR AND
COMPOSITION OF THE INTERSTATE TRS ADVISORY COUNCIL. Reappointed the National Exchange
Carrier Association, Inc. to be the Telecommunications Relay Fund Administrator for another four-year term and

authorized the Administrator to add an additional reimbursable position to the Council, in the hearing and speech disability community category, for a representative from the speech disability community. Action by Bureau Chief. Adopted: June 30, 1999. by MO&O. (DA No. 99-1298). CCB Internet URL:

https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1999/da991298.wp

TCA CABLE TV, INC. Dismissed complaint in Bald Knob, Arkansas, because the complaint concerned a rate that is outside the jurisdiction of the FCC. Action by Acting Chief, Financial Analysis and Compliance Division. Adopted: June 29, 1999. by Order. (DA No. 99-1281). CSB Internet URL:

<https://www.fcc.gov/Bureaus/Cable/Orders/1999/da991281.wp>

DAKOTA TELECOM, INC. (DTI) V. CBS BROADCASTING, INC. D/B/A MIDWEST SPORTSCHANNEL AND BRESNAN COMMUNICATIONS. Denied the program access complaint filed by DTI claiming that CBS, d/b/a Midwest Sportschannel and Bresnan violated the Commission's program access rules by denying DTI access to Midwest Sportschannel, a non-vertically integrated programming vendor. Action by Bureau Chief. Adopted: June 28, 1999. by MO&O. (DA No. 99-1276). CSB Internet URL:

<https://www.fcc.gov/Bureaus/Cable/Orders/1999/da991276.wp>

KXOK-FM, FLORISSANT, MISSOURI. Granted, subject to conditions, a temporary, conditional waiver of the Commission's one-to-a-market rule to permit common ownership of KDNL-TV, St. Louis, MO, KXOK-FM, Florissant, MO, KPNT(FM), Ste. Genevieve, MO; WVRV(FM), East St. Louis, Illinois, and KIHT(FM), WIL-FM and WRTH(AM), all in St. Louis Missouri. Granted the application to assign the license of KXOK-FM from WPNT, Inc. to Sinclair Radio of St. Louis Licensee, L.L.C. Action by the Commission. Adopted: June 30, 1999. by MO&O. (FCC No. 99-155). MMB Internet URL:

https://www.fcc.gov/Bureaus/Mass_Media/Orders/1999/fcc99155.wp

RUSSELLVILLE EDUCATIONAL BROADCAST FOUNDATION, LICENSEE, NONCOMMERCIAL EDUCATIONAL STATION KMTC(FM). Issued Notice of Apparent Liability for \$2,500 against Russellville Educational Broadcast Foundation, licensee, Noncommercial Educational Station KMTC(FM), for Forfeiture for violations of 47 U.S.C. Section 399B and Section 73.503 of the Commission's Rules prohibiting public broadcast stations from broadcasting advertisements. Action by Bureau Chief. Adopted: June 29, 1999. by NAL Letter. (DA No. 99-1280). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Orders/1999/da991280.wp

MERICHEM-SASOL USA LLC. Issued Notice of Apparent Liability for Forfeiture for \$8,000 against Merichem-Sasol USA LLC, licensee of Private Land Mobile Radio Service station KD27990, Houston, TX for operating this station with an expired license, in apparent violation of Section 301 of the Communications Act of 1934, as amended, and former Section 90.113 of the Commission's Rules (now Section 1.903). Action by Chief, Enforcement and Consumer Information Division. Adopted: June 30, 1999. by NAL for Forf. (DA No. 99-1294). WTB Internet URL: <https://www.fcc.gov/Bureaus/Wireless/Orders/1999/da991294.wp>

UPPER CUMBERLAND REGIONAL AIRPORT BOARD. Denied Upper Cumberland Regional Airport Board's (UCRAB) response to have the proposed forfeiture against UCRAB reduced or canceled. Ordered UCRAB, licensee of Aviation Radio Service Station WRLB2730, Sparta, Tennessee, to forfeit \$2,000 for willfully and repeatedly violating Section 301 of the Communications Act of 1934, as amended and Section 87.18(a) of the Commission's Rules re: operating Station WRLB2730 after its license had expired. Action by Chief, Enforcement and Consumer Information Division. Adopted: June 30, 1999. by MO&O. (DA No. 99-1270). WTB Internet URL: <https://www.fcc.gov/Bureaus/Wireless/Orders/1999/da991270.wp>

ADDENDA: The following items, released June 30, 1999, did not appear in Digest No. 124:

NEWS RELEASES

COMMON CARRIER ACTION - FCC APPROVES MERGER OF ALLTEL CORPORATION AND ALIANT COMMUNICATIONS, INC - REPORT NO. CC 99-23. The Commission approved the transfer of control of communications licenses and authorizations from Aliant Communications, Inc. to ALLTEL Corporation, thereby granting the companies' merger application. Action by the Commission June 30, 1999, by MO&O (FCC 99-156). News Media Contact: Emily Hoffnar (202) 418-0253. CCB Contact: Renee Terry at (202) 418-1520. Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/News_Releases/1999/nrcc9041.html

222 LICENSES SOLD AT FCC 220 MHZ SERVICE AUCTION - WT REPORT NO. 99-19. The Commission's 220 MHz service auction ended raising \$1,924,950.00 in net high bids. News Media Contact: Meribeth McCarrick (202) 418-0654. WTB Contact: Bob Reagle at (717) 338-2807 (Auctions and Industry Analysis) or Scott Mackoul at (202) 418-7240 (Commercial Wireless Division); TTY: (202) 418-7233. Internet URL: https://www.fcc.gov/Bureaus/Wireless/News_Releases/1999/nrw19017.html

PUBLIC NOTICES

Report No: CCB/CPD 99-23. Released: June 30, 1999. PROTESTED TARIFF TRANSMITTALS ACTIONS TAKEN. (DA No. 99-1299). Contact: Judith a. Nitsche at (202) 418-1540. Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/1999/da991299.wp

Released: June 30, 1999. COMMON CARRIER BUREAU SEEKS COMMENT ON PETITION FOR LIMITED WAIVER OF INTRALATA TOLL DIALING PARITY IMPLEMENTATION DATE FILED BY U S WEST COMMUNICATIONS, INC. - CC DOCKET NO. 96-98 - PLEADING CYCLE ESTABLISHED. On March 23, the FCC released an order extending the February 8 deadline for the implementation of intraLATA toll dialing parity in section 51.213. The Commission issued a revised schedule, which requires local exchange carriers to file intraLATA toll dialing parity implementation plans with the Common Carrier Bureau on June 22 if a state commission has not yet acted on that LEC's plan. On May 13, U S West Communications, Inc. filed a petition for limited waiver of the June 22 intraLATA dialing parity implementation date. Comments due July 12; replies July 19. (DA No. 99-1304). Contact: Gregory Cooke, Network Services Division at (202) 418-2351 or Robin Smolen, Network Services Division at (202) 418-2353. Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/1999/da991304.wp

Report No: SES-00091. Released: June 30, 1999. SATELLITE COMMUNICATIONS SERVICES INFORMATION RE: ACTIONS TAKEN. Internet URL: https://www.fcc.gov/Bureaus/International/Public_Notices/1999/pnin9123.pdf

Report No: SES-00090. Released: June 30, 1999. SATELLITE COMMUNICATIONS SERVICES RE; SATELLITE RADIO APPLICATIONS ACCEPTED FOR FILING. Internet URL: https://www.fcc.gov/Bureaus/International/Public_Notices/1999/pnin9124.pdf

Report No: D-1052-A. Released: June 30, 1999. MASS MEDIA BUREAU MULTIPOINT DISTRIBUTION SERVICE APPLICATIONS ACTIONS. Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/MDS_Notices/md990630.pdf

Report No: D-1052. Released: June 30, 1999. MASS MEDIA BUREAU MULTIPOINT DISTRIBUTION SERVICE APPLICATIONS ACCEPTED FOR FILING. Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/MDS_Notices/md990630.pdf

Report No: CWD-22-C. Released: June 30, 1999. WIRELESS TELECOMMUNICATIONS BUREAU GRANTS 159 C, E, & F BLOCK BROADBAND PCS LICENSES - AUCTION EVENT NO. 22. (DA No. 99-1288). Internet URL: https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1999/da991288.wp

Released: June 30, 1999. WIRELESS TELECOMMUNICATIONS BUREAU COMMERCIAL WIRELESS DIVISION APPROVES THE WITHDRAWAL OF 39 PETITIONS FOR RECONSIDERATION OR APPLICATIONS FOR REVIEW. (DA No. 99-1123). Internet URL:

https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1999/da991123.wp

Released: June 30, 1999. REQUEST BY PAGING NETWORK, INC. FOR WAIVER OF THE COVERAGE REQUIREMENTS FOR 900 MHZ SMR LICENSES. (DA No. 99-1297). Contact: Donald Johnson or Wilbert E. Nixon, Jr at (202) 418-7240. Internet URL:

https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1999/da991297.wp

Released: June 30, 1999. WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON A REQUEST FOR WAIVER OF THE COVERAGE REQUIREMENTS FOR 900 MHZ SMR LICENSES FILED BY GEOTEK COMMUNICATIONS, INC. AND HUGHES NETWORK SYSTEMS. On June 16, Geotek Communications, Inc., Debtor-In-Possession, its subsidiaries and affiliates and Hughes Electronic Systems filed a request for waiver of the Commission's coverage requirements for Geotek's Major Trading Area licenses in the 896-901/935-940 MHz band. Comments due July 15; replies July 25. (DA No. 99-1283). Contact: Don Johnson at (202) 418-7240. Internet URL:

https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1999/da991283.wp

SPEECHES

PRESS STATEMENT OF COMMISSIONER MICHAEL K. POWELL REGARDING PROPOSED SBC-AMERITECH MERGER. Internet URL: <https://www.fcc.gov/Speeches/Powell/Statements/stmkp919.html>

""TELECOMMUNICATIONS ACCESS: A CHALLENGE TO SUCCEED"" - REMARKS BY DALE N. HATFIELD, CHIEF, OFFICE OF ENGINEERING AND TECHNOLOGY, FCC, AT THE ASSOCIATION OF ACCESS ENGINEERING SPECIALISTS DISABILITY ACCESS TECHNICAL DEVELOPMENT WORKSHOP, LONG BEACH, CA. Internet URL: " <https://www.fcc.gov/Speeches/misc/spdnh901.html>

TEXTS

PETITION FOR FORBEARANCE OF THE INDEPENDENT TELEPHONE & TELECOMMUNICATIONS ALLIANCE. Addressed two of the Independent Telephone & Telecommunications Alliance's requests that the Commission exercise its authority under section 10 of the Communications Act of 1934, as amended to forbear from applying to local exchange carriers serving less than two percent of the nation's access lines several of the FCC's existing regulations. Action by the Commission. Adopted: May 18, 1999. by 3rd MO&O. (FCC No. 99-105). CCB Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1999/fcc99105.wp

PETITION FOR FORBEARANCE OF THE INDEPENDENT TELEPHONE & TELECOMMUNICATIONS ALLIANCE. Granted Independent Telephone & Telecommunications Alliance's request to forbear from applying to mid-sized LECs, both price cap and rate-of-return, the Part 69 rules governing the introduction of new services. Action by the Commission. Adopted: May 18, 1999. by 6th MO&O. (FCC No. 99-108). CCB Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1999/fcc99108.wp

1998 BIENNIAL REGULATORY REVIEW - REVIEW OF ARMIS REPORTING REQUIREMENTS. Adopted proposals set forth in the Commission's NPRM to reduce the Automated Reporting Management Information System reporting requirements with one minor modification. Dkt No.: CC- 98-117. Action by the Commission.

Adopted: May 18, 1999. by R&O/5th MO&O. (FCC No. 99-107). CCB Internet URL:
https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1999/fcc99107.wp

IMPLEMENTATION OF SECTION 402(B)(2)(A) OF THE TELECOMMUNICATIONS ACT OF 1996. Eliminated entry certification filing requirements under section 214 of the Communications Act of 1934, as amended and significantly streamlined exit certification requirements under that section. Granted the substance of the section 214 regulatory relief requested by the members of the Independent Telephone and Telecommunications Alliance in their petition for forbearance, and extended the relief to all other domestic carriers. Dkt No.: CC- 97-11. Action by the Commission. Adopted: May 18, 1999. by R&O/2nd MO&O. (FCC No. 99-104). CCB Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1999/fcc99104.wp

BIENNIAL REVIEW - REVIEW OF ACCOUNTING AND COST ALLOCATION REQUIREMENTS. Adopted proposals set forth in the Commission's June 17, 1998, NPRM. Dkt No.: CC- 98-81, CC- 96-150. Action by the Commission. Adopted: May 18, 1999. by R&O/Ord/4th MO&O. (FCC No. 99-106). CCB Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1999/fcc99106.wp

VALUE CALL INTERNATIONAL, INC. V. MCI TELECOMMUNICATIONS CORPORATION. Granted Value Call's Motion for Voluntary Dismissal of Proceeding; dismissed Value Call's complaint with prejudice; terminated proceeding. Action by Chief, Formal Complaints and Investigations Branch, Enforcement Division. Adopted: June 30, 1999. by Order. (DA No. 99-1296). CCB Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1999/da991296.wp

REGULATORY TREATMENT OF LEC PROVISION OF INTEREXCHANGE SERVICES ORIGINATING IN THE LEC'S LOCAL EXCHANGE AREA AND POLICY AND RULES CONCERNING THE INTERSTATE, INTEREXCHANGE MARKETPLACE. Modified the FCC's conclusion in the LEC Classification Order to allow independent LECs that provide in-region, long distance services solely on a resale basis to do so through a separate corporate division rather than a separate legal entity. Acted on the Leaco Rural Telephone cooperative, Inc.'s Petition for Waiver of the LEC Classification Order requirements. Dkt No.: CC- 96-149, CC- 96-61. Action by the Commission. Adopted: May 18, 1999. by 2nd Ord. / MO&O. (FCC No. 99-103). CCB Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1999/fcc99103.wp

LONE STAR CELLULAR, INC. Granted Lone Star Cellular, Inc.'s application for service area boundary extension of its Goldwaite cell site into the adjacent Texas 15 Rural Service Area. Denied Kent S. Foster's Petition to Deny. Action by Chief, Policy and Rules Branch, Commercial Wireless Division. Adopted: June 30, 1999. by Order. (FCC No. 99-1282). WTB

BRISTOL BAY CELLULAR PARTNERSHIP. Granted Bristol Bay Cellular Partnership's petition seeking an extension of the waiver of the querying requirements in section 52.31(b); dismissed Bristol Bay's request for a waiver to delay implementation of service provider LNP beyond June 30. Dkt No.: CC- 95-116. Action by Chief, Commercial Wireless Division. Adopted: June 30, 1999. by Order. (DA No. 99-1289). WTB Internet URL: <https://www.fcc.gov/Bureaus/Wireless/Orders/1999/da991289.wp>

LOCAL EXCHANGE CARRIER -COMMERCIAL MOBILE RADIO SERVICES SAFEGUARDS ORDER. Denied, to the extent indicated, Independent Telephone and Telecommunications Alliance's (ITTA) petition for forbearance and denied its request for reconsideration regarding the Commission's LEC-CMRS Safeguards Order, in which the Commission adopted a separate affiliate requirement for incumbent Local Exchange Carrier provision of in-region Commercial Mobile Radio Service. Dkt No.: WT- 96-162. Action by the Commission. Adopted: May 18, 1999. by 1st Or./1st MO&O. (FCC No. 99-102). WTB Internet URL: <https://www.fcc.gov/Bureaus/Wireless/Orders/1999/fcc99102.wp>

ADDENDA: The following items, released June 28, 1999, did not appear in Digest No. 122:

TEXTS

BETTY J. STEARNS ET AL. V. PACIFIC BELL. Granted the joint motion for waiver of Section 1.718(a) of the Commission's rules which require the filing of a formal complaint within six months of a carrier response to an informal complaint. Action by Deputy Chief, Formal Complaints and Investigations Branch, Enforcement Division. Adopted: June 25, 1999. by Order. (DA No. 99-1262). CCB Internet URL:
https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1999/da991262.wp